IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4195 of 1987

Hon'ble MR.JUSTICE Y.B.BHATT

1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

DINBANDHU S SANGH

Versus

STATE OF GUJARAT

Appearance:

MR NK MAJMUDAR for Petitioner

MRS SIDDHI TALATI, AGP, for Respondent No. 1

MS SWATI G BHATT for Respondent No. 3

RULE SERVED for Respondent No. 4

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 29/03/2001

ORAL JUDGEMENT

1. Heard the learned counsel for the respective parties.

2. In this petition earlier the court had passed an

order dated 1st September 1987, under which the District Development Officer, District Panchayat, Surat was required to give a hearing to the petitioner Sangh and file a report in this court as to whether the prayers for regularisation in respect of the occupation of the petitioner could be granted or not. In this context the report has been placed on record.

3. As a result of the hearing and discussion a consensus has been arrived at between the learned counsel on the basis of which learned counsel for the petitioner states that the petitioner Sangh will make a representation to the Government on the question of regularisation of the huts occupied by the members of the Sangh situated on government waste land. It is clarified that the representation would be on behalf of only those members of the Sangh who are petitioners in the petition and none else. In other words, subsequent transferees or those who entered into occupation later on or for any other reason entered into possession subsequently would not be covered by the representation. In short, names of such petitioners are listed at page 51 and page 62 of the petition, who have been dealt with by the report of the Collector, Surat.

4. Such representation shall be filed within three weeks from today. The State Government shall consider the representation which shall be dealt with by an appropriate officer at an appropriate level and shall be decided as expeditiously as possible and preferably within three months from the date of receipt thereof. Only the Secretary/President/duly nominated officer of the petitioner Sangh shall be entitled to the personal hearing.

5. Until the representation is decided, the present status quo order shall continue to have effect.

6. On the basis of the aforesaid observations and directions, learned counsel for the petitioner does not press for any further relief. This petition is accordingly disposed of. Rule is discharged with no order as to costs. Direct service is permitted.

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